

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA )  
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                                  )  
v.                              )  
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Case No. 3:07cr263

JUDGE HAYNES

SHEILA KENNEDY, *et. al.*

**ORDER**

Pending before the Court is Defendant Ann Scarborough's motion for the Government to disclose Rule 404(B) evidence (Docket Entry No. 157), to which Defendant Phillip Russell joined (Docket Entry No. 165), and the Government responded (Docket Entry No. 176).

Pursuant to the federal rules, the government shall provide "reasonable notice in advance of trial, or during trial if the court excuses pretrial notice on good cause shown, of the general nature of any [other crimes, wrongs, or acts] evidence it intends to introduce at trial." Fed. R. Crim. P. 404(b). The trial in the instant matter is set for October 5, 2010. The Government is not required to disclose Rule 404(b) evidence at this time. The Government has represented that it will provide reasonable notice of any Rule 404(b) evidence consistent with the federal and local rules and the Court will hold the Government to this representation. Accordingly, Defendants' motions to receive Rule 404(b) evidence (Docket Entry No. 157, 165) are **DENIED**.

It is so **ORDERED**.

ENTERED this the 8<sup>th</sup> day of June, 2010

  
WILLIAM J. HAYNES, JR.  
United States District Judge